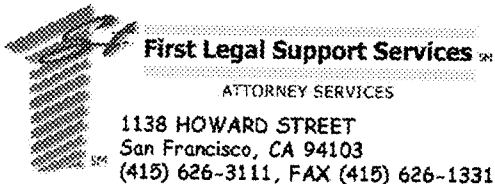


Attorney or Party without Attorney: MARCELLA BALLARD BAKER & MCKENZIE LLP 1114 AVENUE OF THE AMERICAS NEW YORK, NY 10036 Telephone No: 212-626-4100				For Court Use Only	
Attorney for: Plaintiff					
Ref. No. or File No.: 56209771.000005					
Insert name of Court, and Judicial District and Branch Court: U. S. DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK					
Plaintiff: NATIONAL TOBACCO COMPANY, LP Defendant: TIMOTHY PARKER, et al.					
AFFIDAVIT OF SERVICE SUMMONS & COMPLAINT		Hearing Date:	Time:	Dept/Div:	Case Number: 08 CV 03383

1. At the time of service I was at least 18 years of age and not a party to this action.
 2. I served copies of the SUMMONS IN A CIVIL CASE AMENDED COMPLAINT FOR DECARATORY JUDGMNET, INJUNCTIVE RELIEF SOUGHT; CIVIL COVER SHEET; CORRECTED RULE 7.1 STATEMENT; INDIVIDUAL RULES AND PROCEDURES; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE THEODORE H. KATZ; 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; GUIDELINES FOR ELECTRONIC CASE FILING.
 3. a. Party served: **SOLOMON DAVID**
 4. Address where the party was served: **3026 LINDEN STREET
EMERYVILLE, CA 94608**
 5. I served the party:
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., Apr. 21, 2008 (2) at: 6:32PM
 6. The "Notice to the Person Served" (on the Summons) was completed as follows:
 - a. as an individual defendant
 7. **Person Who Served Papers:**
 - a. **AARON DANIEL**
- Fee for Service:



8. I declare under penalty of perjury under the laws of the State of New York and under the laws of the United States Of America that the foregoing is true and correct.

AFFIDAVIT OF SERVICE
SUMMONS & COMPLAINT

(AARON DANIEL)

6414357.bakmc-ny.129199